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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA) 4:16-CR-124
v.) Sentencing
TERRY SHERO) October 25, 2016

BEFORE THE HONORABLE REED C. O'CONNOR
United States District Judge
In Fort Worth, Texas

FOR THE GOVERNMENT:

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The above styled and numbered cause was reported by
computerized stenography and produced by computer.

1 (October 25, 2016.)

2 THE COURT: If we could have Mr. Shero to come on
3 over. And this will be case number 4:16-CR-124, the United
4 States versus Terry Shero.

5 MR. WOLFE: Chris Wolfe for the Government.

6 THE COURT: Thank you, Mr. Wolfe. Ms. Lederman is
7 here. Would you state your full name for the record.

8 THE DEFENDANT: Terry William Shero.

9 THE COURT: Shero. Okay. You have evidence you want
10 to present on these objections?

11 MS. LEDERMAN: We do, Your Honor. We have just to --
12 I know you are tired of us by now. There was a Presentence
13 Report filed. We filed our objections. There was an Addendum
14 to the Presentence Report. I mean, it's just I know Mr. Wolfe
15 has had issues with all the objections we have filed, but our
16 main issue on these objections is that if they are going to
17 write them down they need to be factually correct. The main
18 issue has been the bulk of all of these sentences are
19 incorrect. I mean, if we are going to talk about semantics
20 when they've got typos saying February of 2015 when it should
21 be February 2016. When we are talking again, even in the PSR
22 Addendum, misstatements of what was in the actual offense and
23 citing weapons, ammunition, and amounts that were being pulled
24 from offenses that happened months later after my client had
25 already been incarcerated, so he has no connection to again

1 even the Addendum. The paragraphs 12, 104, again they are
2 listing the exact same item that they sustained our objection
3 and said, yes, we were correct, yet in their Addendum we go
4 back and rely on those same items. That also goes to
5 paragraph 22 of the Addendum where they are again listing
6 items which are factually incorrect for my client and which
7 are from another PSR on an arrest that happened two months
8 later all under a separate incident.

9 THE COURT: Okay. What do you say, Mr. Wolfe?

10 MR. WOLFE: About -- I guess -- The Defense has
11 multiple objections, Your Honor. I've tried to respond to
12 them in order I guess I'm unaware of exactly what she is
13 objecting to other than, you know, her -- or the Defense's
14 disfavoring of the PSR. I don't know exactly which objection
15 we are referring to.

16 THE COURT: What is it that needs to be corrected is
17 all --

18 MS. LEDERMAN: Specifically, in paragraph 12 of the
19 Addendum to the PSR.

20 THE COURT: Yes.

21 MS. LEDERMAN: They list --

22 THE COURT: The weapons.

23 MS. LEDERMAN: -- the weapons. They list them again
24 in paragraph 104. They refer to these same weapons again in
25 paragraph 22. They again refer to these same weapons and

1 ammunition in their request for a two level increase. With
2 regard to the PSR and the Addendum and the State filing that
3 they have no objection, we are again asserting that everything
4 listed in the PSR and the PSR Addendum with regard to these
5 weapons were from an arrest that happened two months after my
6 client was incarcerated and in a different PSR belonging to
7 different individuals.

8 **MR. WOLFE:** I think I can maybe help the Court. Your
9 Honor, the PSR was correct in applying the two point
10 enhancement. However, they listed the incorrect guns. Those
11 guns listed in the PSR came from another offense report. The
12 Government responded and on page two of the Government's
13 Responses of the PSR objections, the Government lists the
14 appropriate again guns and I believe the Addendum also lists
15 the correct guns. I may be wrong about that. Nevertheless, I
16 don't -- I don't believe the defendant is denying -- I guess
17 to be clear, Your Honor, I don't believe the defendant is
18 denying the enhancement or object to the enhancement, just
19 that the guns listed are incorrect.

20 **MS. LEDERMAN:** And I guess that goes back to my
21 objection is I'm not going to agree to an enhancement when the
22 underlying supporting information is incorrect. If you look
23 on the Addendum, paragraph 11 says seven weapons. Paragraph
24 twelve says twelve weapons, yet it lists 20 weapons. They
25 again are listing the exact same weapons that they sustained

1 our objection and said these are the incorrect weapons, so the
2 two level enhancement for a weapon my issue is if you're going
3 to do it, do it correctly. The issue is --

4 **THE COURT:** Well, let me ask this: So, on page two
5 of the Government's Response they list seven weapons, the
6 Chipmunk, the Marlin, the Henry, the Remington, the
7 Winchester, the Ithaca, and the Springfield and those are
8 stated in the first -- the Response paragraph to the objection
9 to paragraph 12 in the Addendum. So are those the right guns
10 or the wrong guns? What is the objection?

11 **MS. LEDERMAN:** Again, if you look though in their
12 Addendum, Judge, where they said we are now amending and
13 italicizing, page 11 -- paragraph 11 they've italicized and
14 said seven weapons. But then if you look at paragraph 12 --

15 **THE COURT:** I see.

16 **MS. LEDERMAN:** They list the exact same weapons that
17 they just said are incorrect. Then if you go to paragraph 104
18 they again list in the Addendum incorrect information.

19 If you go to paragraph 22 of the Addendum where again
20 in their response listing the incorrect --

21 **THE COURT:** I see.

22 **MS. LEDERMAN:** -- the incorrect information. So our
23 objection goes to if you are going to give us a two level
24 enhancement and say this is why --

25 **THE COURT:** Yes. So I will -- I will sustain the

1 objection in part; that is, the firearms identified in the
2 paragraph that begins with the word "Response" on page 2 of
3 the Addendum, those firearms should be the firearms that are
4 listed in paragraph 12 and 104 on page 3 of the Addendum.

5 Now, those firearms then are the firearms that should
6 be used in the Response or referenced at least in the Response
7 to Roman -- that is detailed in Roman numeral VI of the
8 Addendum dealing with objection to paragraph 22.

9 Okay. Any other objections?

10 MS. LEDERMAN: And then again, Judge, on paragraph
11 22, have stricken the 2,310 rounds of ammunition because I
12 believe that's also incorrect.

13 THE COURT: The -- That last paragraph should only
14 reference the firearms that I've just identified.

15 MS. LEDERMAN: Okay. Then again in that same --

16 MR. WOLFE: Your Honor -- Your Honor, there wasn't
17 2300 rounds of ammunition. There was just a few boxes of
18 ammunition.

19 THE COURT: It doesn't matter. I'm striking that
20 entire paragraph and that paragraph should read the weapons
21 identified on page 2 of the Addendum support a finding for an
22 enhancement.

23 MR. WOLFE: Yeah.

24 MS. LEDERMAN: And then again in the paragraph 104 of
25 the Addendum -- I'm sorry. Did you've also say that would be

1 corrected?

2 **THE COURT:** Both of them. Paragraph 12 and 104,
3 which is on page 3. I've already dealt with that.

4 **MS. LEDERMAN:** Thank you.

5 **THE COURT:** Those paragraphs, instead of those
6 firearms listed and italicized there, it should be the
7 firearms listed on page 2 of the Addendum.

8 **MS. LEDERMAN:** And then again, Judge, they did not
9 respond, but in paragraph 15 of the original PSR, paragraph 12
10 of the original PSR, and paragraph 11 of the PSR we
11 alternately reference 9, 12, and 9 weapons, and then in the
12 Addendum they list 7 weapons.

13 **THE COURT:** Well, the only weapons -- So I'm
14 sustaining your objection to references to weapons in the
15 Addendum. The only references to weapons should be the
16 references to the weapons identified in this second paragraph
17 on page 2 of the Addendum.

18 **MS. LEDERMAN:** Although I believe you've already
19 reviewed all of our other objections to the PSR, the other
20 objection we do have a proffer of evidence and then I believe
21 Mr. Danielson was still here and his client, Ms. Robin Meador,
22 who the bulk of the weight that is placed on my client, the
23 only weight placed on my client came from Ms. Meador and I
24 believe in paragraph 12 of the PSR the calculations came from
25 a discussion that the Government had with Ms. Meador that it

1 comes from paragraph -- lists paragraph 13 in the original
2 PSR, Judge. That was our objection to 13 on an incorrect date
3 where it says February 29th, 2015. I believe, again, that is
4 incorrect. They did not meet until 2016 and in 2015 we can
5 show that Mr. Shero was incarcerated, so on paragraph 13 of
6 the PSR that is incorrect. Paragraph 14 of the original PSR,
7 the Guideline computations which hold Mr. Shero accountable
8 for 889.15 grams, derived from 76 grams, and I believe the 76
9 grams all come from the proffer of ghosting from
10 Ms. Robin Meador. And so with regard to her veracity and
11 credibility since that time we believe that Ms. Meador has
12 corresponded to my client indicating that she realizes -- she
13 doesn't recall making these statements to Mr. Brown and that
14 she no longer would support those statements as being true and
15 accurate, statements with regard to her and Mr. Shero and any
16 actual quantities between the two of them. She has written
17 him numerous letters indicating that she basically lied and
18 she put this all on him. She was trying to save herself and
19 trying to save whoever else she was involved with at that time
20 and that she basically said these things because she also
21 wanted to make sure he would be incarcerated so that he
22 wouldn't find another girlfriend and leave her. We have
23 letter after letter after letter. Ms. Meador is also here and
24 it goes to her credibility. We don't deny -- I think my
25 client said the two encounters that they had, they did meet on

1 *Plenty of Fish*, they had an encounter one weekend and then
2 they did not have any other encounters until that next weekend
3 when he was arrested and Ms. Meador was arrested that second
4 time and then by his calculation and the letters we have from
5 Ms. Meador, they are talking about four to five ounces in her
6 letters and in her correspondence. Ms. Meador says she
7 doesn't recall ever telling anyone and we've got her
8 credibility with -- we have this issue with every other day,
9 really what is every other day, can she be that specific and
10 that accurate for four weeks this was happening every other
11 day and then we have an issue with her credibility based on
12 her voluminous correspondence which we have for the Court. I
13 don't have -- I'm sorry. I didn't make copies and I have for
14 the Court and we would proffer it as Defendant's 1 all of her
15 correspondence -- I know her just from reading her name. She
16 also mailed a letter to my office saying the same thing. I'll
17 be happy to come testify. You know, I don't know where these
18 numbers are coming from. This was a four to five ounce at the
19 most and I would be happy to provide these to Court and we
20 would ask Ms. Meador be brought out and I understand after
21 talking to Mr. Danielson more than likely she would not --

22 **THE COURT:** Mr. Danielson.

23 **MR. DANIELSON:** Your Honor, I've talked to Ms. Meador
24 about these letters. I just saw them this morning. I advised
25 her not to testify. She has agreed to that. She is still

1 present in the back but she asked to remain back there but the
2 Court can do however you want with that.

3 THE COURT: So you've advised her not to testify and
4 you said that she said what?

5 MR. DANIELSON: She has agreed with me, that she
6 would not testify.

7 THE COURT: She would invoke her Fifth Amendment
8 privilege?

9 MR. DANIELSON: That's correct.

10 MS. LEDERMAN: And --

11 MR. DANIELSON: However, I will indicate to the
12 Court, and I've discussed this with her, I've discussed the
13 fact she has written letters and I've also asked her about the
14 specific letters now that I've seen them this morning and I do
15 believe those are her letters. Those are letters that she in
16 fact did write.

17 THE COURT: Okay. Okay. So, do you want me to call
18 her in and question her about her --

19 MS. LEDERMAN: It's up to your, Judge. Our issue
20 then with is regard to her -- the authenticity of these
21 letters. She can authenticate the letters --

22 THE COURT: Well, he stipulated that they are
23 authentic.

24 MS. LEDERMAN: And as long as the Government has no
25 objection to that.

1 **THE COURT:** Do you stipulate these are authentic?

2 **MR. WOLFE:** Yes. I've never read them, but I suspect
3 they are authentic.

4 **THE COURT:** So do you want me to bring her out or
5 not?

6 **MS. LEDERMAN:** No.

7 **THE COURT:** Okay. Okay. Very good.

8 **MS. LEDERMAN:** And, Judge, I believe that is the core
9 of our objection and our issues as to our other objections. I
10 think that goes to the main issue that does to is the --

11 **THE COURT:** Yes.

12 **MS. LEDERMAN:** That is a huge variance in
13 calculations. You saw her today. You've knew when she got
14 arrested, she violated and continued to use drugs and she
15 tried to broker arms deals while basically was out on whatever
16 release she was on from her first arrest to her second arrest.
17 I think the issue of her credibility and her veracity is at
18 odds. She is certainly somebody who by her own admission is
19 out there doing whatever she can to save herself and say
20 whatever she has to say to whoever she has to say, not to
21 mention the quantity of drugs she is using at the time. The
22 issue of being able to come in and we take umbrage of being
23 able to say, yes, I know for exactly four weeks I was doing
24 every other day with this person and then immediately come
25 back and say, well, no, I don't even recall that. I don't

1 recall that happening. We all know that, I mean, I could
2 barely remember what I had for lunch yesterday nonetheless a
3 drug addict who can recall exactly what they were doing for a
4 five week -- four week period every other day. I think that
5 goes to her credibility and she being able to say that, yes,
6 when my client has accepted responsibility --

7 THE COURT: Let me just stop you there. It sounds
8 like we need to hear evidence in this case and she is denying
9 through these letters these drug amounts, so the Government
10 will need to call --

11 MR. WOLFE: Yes, Your Honor.

12 THE COURT: -- Mr. Brown or somebody.

13 MR. WOLFE: Yes, Your Honor. If the Court will allow
14 at this time, the Government calls Officer Brown.

15 THE COURT: Go ahead and have a seat there with the
16 marshal. Have a seat.

17 (Witness sworn.)

18 MR. WOLFE: May I begin?

19 WITNESS NAME WITNESS, was sworn

20 DIRECT EXAMINATION

21 BY MR. WOLFE:

22 Q. Would you please state your name and tell us what you do
23 for a living?

24 A. My name is Kevin Brown. I'm a criminal investigator with
25 the Tarrant County Criminal District Attorneys Office. I'm

1 currently assigned to the Drug Enforcement Administration here
2 in Fort Worth, Texas, and have been since 1999.

3 Q. Are you one of the case agents involved in the
4 investigation against Terry Shero?

5 A. Yes, I am.

6 Q. Are you familiar with Terry Shero?

7 A. Yes, I am.

8 Q. When did you first learn of Terry Shero?

9 A. The day we first arrested Robin Meador. I believe it
10 was April 21st.

11 Q. Can you describe to the Court the circumstances upon which
12 you arrested Ms. Meador?

13 A. We had made a number of purchases of narcotics from
14 Ms. Meador. We received a federal arrest warrant for her and
15 we went and arrested her.

16 Q. And upon her arrest did she agree to cooperate?

17 A. Yes, sir, she did.

18 Q. What, if anything, did she tell you?

19 A. We asked her who she currently is receiving her
20 methamphetamine from and she told us Terry Shero.

21 Q. Did you ask her specifics about how much methamphetamine
22 she had received from Mr. Shero and when that began?

23 A. Yes, sir, we did. We -- Of course, we did our normal
24 interview, how many methamphetamine you -- did you purchase
25 from him. She told us approximately two ounces at a time.

1 How long have you known him. She told us three to six weeks.
2 She talks about meeting him on *Plenty of Fish.com*.

3 Q. What's *Plenty of Fish.com*?

4 A. It's a type of dating site. I have registered, so I don't
5 know, but that's what I was told.

6 Q. She knew him three to six months?

7 A. Three to six weeks.

8 Q. I'm sorry. Three to six weeks. Excuse me. And according
9 to her she was ordering approximately two ounces how often?

10 A. Every other day.

11 Q. Every other day. Now, I assume in the past when you've
12 had situations to interview individuals that you have arrested
13 you are going to have to try to figure out whether or not they
14 are reliable or credible?

15 A. Yes.

16 Q. What did she tell you that you were able to I guess
17 corroborate?

18 A. She told us his name. She were able to do database
19 searches and found a Terry Shero. We retrieved his
20 photograph. Asked her if this is who she was talking about.
21 She said yes, but I can pull his *Facebook* page up so you can
22 see. So she pulled his *Facebook*. I compared the picture on
23 his *Facebook* page from with the picture that I received from
24 the Texas Department of Public Safety. It was the same
25 person.

1 Q. Did she also describe the location where he could be
2 located?

3 A. Yes. She told us that she had his phone number and that
4 he was currently staying in a motel off of Meacham and 35 in
5 Fort Worth, Texas.

6 Q. At a Quality Inn?

7 A. Value Inn or Quality Inn. It was -- it was either Value
8 or Quality.

9 Q. A hotel?

10 A. Yes, sir. A hotel.

11 Q. So she identified him, she described his cell phone or
12 gave you the number of his cell phone. Did you -- did she
13 also describe when the last time she saw him?

14 A. Yes, sir, she did. During this -- After we realized who
15 it was, we found out that he had two outstanding parole
16 warrants from the State of Texas, so we immediately started
17 making a plan to go try to arrest Mr. Shero. We sent people
18 to the hotel that she had described to us. We were able the
19 pull up a picture of the hotel off the internet. We showed
20 her that picture and she said, Yeah, that's the hotel. We
21 identified the hotel and we sent agents over to that hotel.
22 While we were talking to her she told us -- described two
23 vehicles Mr. Shero drove. She told us where they would be
24 parked in the parking lot. We sent the agents over. They
25 verified that information and verified the hotel. We then

1 took Meador over to the hotel. She pointed out the room that
2 he was in. We sent someone in or I believe I went in, if I
3 recall correctly, and determined what room number it was by
4 the room that she pointed at from the outside. After we did
5 all this -- gained all this information, she told us that she
6 was in there the prior night, that she saw four ounces of
7 methamphetamine, that there were numerous guns laying on the
8 bed, and that basically the hotel room looked like a pawn
9 shop.

10 Q. Had multiple --

11 A. Clothes, cell phones, there was safe in there. She
12 described the safe being in there. That's where the meth
13 would be kept. So we --

14 Q. She gave you've information about what you would
15 eventually find in the hotel room?

16 A. Yes, sir.

17 Q. Okay. And did you eventually attempt to make an arrest
18 and enter the hotel room?

19 A. Yes, sir. We -- after we verified what room we believed
20 it was, we went to another location and we had Ms. Meador make
21 a phone call to Mr. Shero, which she did. Actually, there
22 were several phone calls. He finally answered one of the
23 phone call. At that time she told him she needed two ounces
24 of methamphetamine and that she would in need another two on
25 later that night.

1 Q. Based on your training and experience, is it common for an
2 individual to be able to order two or four ounces of
3 methamphetamine from a source if she have not already done
4 that prior to that time?

5 A. No.

6 Q. So she did, in fact, make a phone call and order two to
7 four ounces?

8 A. Yes.

9 Q. And what was Mr. Shero's response?

10 A. How much money do you have?

11 Q. And what did she say?

12 A. 8 to 12. Meaning 8 to \$1200.

13 Q. How much would 8 to \$1209 pay for? How much
14 methamphetamine --

15 A. Two ounces.

16 Q. -- would that -- Say that again?

17 A. Two ounces.

18 Q. What did you do with that information?

19 A. We -- I believe she said, Okay. I'll be there in a little
20 bit. He told her that he wasn't there right now and that he
21 would be back shortly to the hotel. We had agents sitting at
22 the hotel waiting when they saw him arrive. They took him
23 into custody. We approached, asked him for -- to search the
24 room. He told us not.

25 Q. He told you what?

1 A. That he would not grant consent to search the room.

2 Q. Okay.

3 A. When we patted him down he had approximately 10 hotel card
4 keys on him.

5 Q. Card keys?

6 A. Yes, for the door. It wasn't a traditional key; it was a
7 card key. He refused consent, which was fine. We took one of
8 the keys that we believed was a room key for I think it was
9 323. I went up there because there was a lot of traffic in
10 and out of that room. We opened the door to see if there was
11 anybody in the room, which there was not. We shut the door
12 and then we posted a guard outside. I went and obtained a
13 State of Texas search warrant for the motel room. Once it was
14 signed we executed the warrant on the motel room.

15 Q. And what did find inside the hotel room?

16 A. Seven stolen guns, two -- approximately two ounces of
17 methamphetamine in a safe. Numerous cell phones. Probably 30
18 to 50 cell phones.

19 Q. How did you access the safe?

20 A. With the key that we retrieved from in Shero.

21 Q. So in other words, the information that Ms. Meador gave
22 you was actually confirmed by what you saw in that motel room?

23 A. Yes, sir. She was exactly right.

24 Q. Now, you also heard information, you've been in the
25 courtroom earlier when Ms. Lederman was talking about these

1 letters that have apparently gone back-and-forth between
2 Mr. Shero and Ms. Meador.

3 A. Yes, sir.

4 Q. You've read one of those?

5 A. Yes, sir.

6 Q. But you haven't seen the other ones?

7 A. No, sir.

8 Q. Let me ask you, based on your years of experience, is it
9 uncommon for an individual who has assisted authorities to try
10 to minimize what they have done for reasons such as they don't
11 want to be known as a snitch for fear.

12 A. Yes, sir.

13 Q. And/or they have some kind of relationship, romantic or
14 otherwise, with that person. Is that -- Have you ever seen
15 that before?

16 A. Yes, sir, I have.

17 Q. As your sit here today do you believe Ms. Meador's
18 information which was given to you immediately upon her arrest
19 is reliable?

20 A. Yes, I do.

21 MR. WOLFE: That's all we have, Your Honor.

22 **CROSS-EXAMINATION**

23 **BY MS. LEDERMAN:**

24 Q. Can you tell the Judge how it was that you came into
25 contact with Ms. Meador the first time?

1 A. We arrested her.

2 Q. Had there been an ongoing investigation with regard to
3 Ms. Meador?

4 A. Yes, ma'am.

5 Q. Okay. Can you tell the Judge about this ongoing
6 investigation?

7 A. It was actually ran by the Department of Public Safety but
8 they had made previous narcotic buys from Ms. Meador.

9 Q. They had also had several contacts with Ms. Meador prior
10 to her arrest on April 21st; correct?

11 A. I don't -- What do you mean by contacts?

12 Q. Well, do you recall an incident where the DPS had stopped
13 and did a welfare check because --

14 A. Oh, yes, ma'am. Yes. I do recall --

15 Q. Can you tell the Judge a little bit about some of these
16 prior contacts with Ms. Meador?

17 A. Ms. Meador was with David Catlett I believe and a
18 Department of Public Safety trooper were following her to see
19 if they were conducting a narcotics transaction and they
20 started going towards Springtown I believe and I believe Mr.
21 Catlett and Ms. Meador were having an argument. They flipped
22 the car around. I believe it was her, I don't remember which
23 one, got out of the vehicle and walked off. It might have
24 been her. I don't recall. And they approached, talked to
25 them, and did the -- didn't arrest them or anything --

1 Q. They denied consent to search the vehicle and drove off:

2 A. Okay. I don't remember.

3 Q. Would it be fair to say Ms. Robin Meador on the first
4 interview discussed numerous extensive drug dealing she had
5 with Mr. Catlett her boyfriend at the time?

6 A. She discussed several people. But Mr. Catlett, as far as
7 I recall, the day she got arrested, Mr. Catlett wasn't her
8 boyfriend at that time because I recall her telling us that
9 actually Mr. Shero was her boyfriend at that time.

10 Q. And she had discussed that Catlett, she had received
11 narcotics from him, I believe. The agents had also asked her
12 if the drugs she was dealing she was getting from these other
13 men in her life? Is that correct?

14 A. She had several sources, yes, ma'am, prior to, and she
15 kind of listed them out. Is that what you are asking?

16 Q. She had multiple sources; correct?

17 A. Yes. She basically had a source, she would lose that
18 source and get another source and she listed those sources out
19 in a time frame, as I recall.

20 Q. And so Ms. Meador additionally says, Hey, I think I've
21 only known him maybe three to six weeks was her recollection?

22 A. Yes, ma'am.

23 Q. Then did you look at her cell phone or download her cell
24 phone?

25 A. I -- I don't recall. If we downloaded it, it would have

1 been given it on your discovery.

2 Q. One of the things is I don't -- I do not see where there
3 was a phone dump of Mr. Shero's phone. Was there a dump of
4 any of Mr. Shero's phone?

5 A. I don't -- I don't recall. I don't think there were.

6 Q. So other than this phone call or these multiple phone
7 calls that Ms. Meador made on April 21st, these are the only
8 phone calls that we actually have knowledge of; correct?

9 A. Well, that are recorded, yes, ma'am.

10 Q. Then did Ms. Meador ever inform you that she also had been
11 given prior to that day a key to room 323?

12 A. I don't believe so.

13 Q. So if in the letters that we've provided the Judge she
14 says, you know, I did what was best for myself, I never told
15 him I had a key, would that also sound like somebody who was
16 trying to do what was best for them?

17 A. Oh, yes, ma'am.

18 Q. Did Ms. Meador ever tell you that she had been in -- and
19 you indicated to the Judge just a minute ago there was a lot
20 of traffic into room 323; correct?

21 A. Yes, ma'am.

22 Q. And there were multiple people that had access to that
23 room.

24 A. I didn't say that. I said multiple traffic. The people
25 that we saw from the hallway, they did not have keys to that

1 room.

2 Q. The keys that you found; correct?

3 A. They did not because we checked all the keys they did have
4 against that room.

5 Q. And were on all those other people under arrest?

6 A. No. They were cooperating.

7 Q. Do we have any information about how reliable those people
8 are who you checked?

9 A. No, ma'am.

10 Q. All right. So we don't know if they maybe had a key and
11 just didn't give it to you?

12 A. I know that the keys that they had on them when we were
13 talking to them and they were talking to us did not fit room
14 323.

15 Q. Now, with regard to Ms. Meador, can you tell the Judge
16 after the date of arrest, Mr. Shero is incarcerated; correct?

17 A. Yes, ma'am.

18 Q. After his incarceration Ms. Meador doesn't stop her drug
19 dealing, does she?

20 A. I don't know if she was drug dealing. I don't believe she
21 was.

22 Q. Well, she was arrested again shortly after the middle of
23 May; correct?

24 A. Yes, ma'am.

25 Q. And not only is she arrested, she is arrested with trying

1 to broker a deal for a shipping container full of weapons?

2 A. She was trying to middle a deal for weapons, yes, ma'am.

3 Q. And we have already provided that entire proffer, the
4 arrest report to the Judge in our PSR and -- did you review
5 that?

6 A. No, I haven't seen that.

7 Q. And in that Ms. Meador upon her arrest on -- by the DEA on
8 May 23rd, were you aware of that?

9 A. Are you talking about a gun deal?

10 Q. Correct.

11 A. Yes, ma'am.

12 Q. So on May 23rd Ms. Meador is again arrested with a deal
13 involving guns and drugs again; correct?

14 A. No. Guns only.

15 Q. So the drugs that were found in the containers and on all
16 the individuals who were arrested, those are not -- they're
17 not going to have any bearing on that with regard to
18 Ms. Meador?

19 A. As I recall they weren't -- she wasn't -- where the drugs
20 were found were in vehicle that she never had any contact
21 with.

22 Q. Basically, she was it still in contact with people and
23 around people who had access to drugs; correct?

24 THE COURT: Well, sheer tested positive, so that's
25 kind of an obvious.

1 MS. LEDERMAN: I wasn't aware --

2 BY MS. LEDERMAN:

3 Q. So it's not like suddenly Ms. Meador was out of drugs that
4 supposedly because Mr. Shero was her source of supply?

5 A. I don't doubt that at all that she had another source.

6 Q. Now, with regard to Ms. Meador and her veracity, she also
7 indicated that -- did she ever tell you how at her first
8 proffer that she was able to broker arms deals?

9 A. Okay. Are you talking about a proffer or are you talking
10 about a post-arrest statement because her proffer interview
11 actually happened after the gun deal.

12 Q. Correct. I'm sorry. In her initial post-arrest interview
13 from the April 21st arrest.

14 A. Did she tell us --

15 Q. Again. We are talking about Ms. Meador's credibility;
16 correct?

17 A. I understand. Yes, ma'am.

18 Q. On April 21st Ms. Meador is arrested; correct?

19 A. Uh-huh.

20 Q. After she had been the target of an ongoing drug
21 enforcement operation; correct?

22 A. Yes, ma'am.

23 Q. And then Ms. Meador is given an opportunity to then not
24 be -- not be arrested or released as long as she provides
25 information on other individuals; correct?

1 A. Yes, ma'am.

2 Q. Is it normal that people provide information on the people
3 that are tied to the least?

4 A. No, ma'am.

5 Q. Because if she had only known Mr. Shero for three weeks
6 she certainly had no strong ties to him; correct?

7 A. I don't know. She said they were dating.

8 Q. For three, maybe six weeks at the most?

9 A. Yes, ma'am.

10 Q. Okay. And these other individuals that she had talked
11 about in her post-arrest interview she talked about those were
12 individuals who she had children with, who she had a longer
13 relationship with.

14 A. I don't recall children.

15 Q. Okay. Did you ever go on her *Plenty of Fish* website to
16 see when she made contact with Mr. Shero?

17 A. I've never been on that website.

18 Q. So when she said, Hey, this is how long I have known him,
19 I can pin point the date because this is how we met on this
20 website, you didn't have her pull up her profile?

21 A. She didn't say that.

22 Q. I'm sorry?

23 A. She didn't say what you just said. She said she met him
24 on *Plenty of Fish.com* and that was it. I know nothing about
25 *Plenty of Fish.com*.

1 Q. Okay. Well, and just for purposes of did provide -- we
2 did pull up -- get on their website and pull off their
3 information off the website showing they did only met shortly
4 before the arrest on *Plenty of Fish.com*. And did she indicate
5 to you how much access she had to the room at the hotel?

6 A. She stated that she had been in there the night before and
7 she saw approximately four ounces of methamphetamine.

8 Q. I understand what she saw. Did she indicate to you that
9 she was in that room because she was going in and out because
10 she had a key or she was only there because somebody else was
11 with her?

12 A. She was there to visit Mr. Shero. That's what I recall.

13 Q. I'm sorry?

14 A. That's what I recall.

15 Q. Did we talk to her specifically or is that just the
16 assumption we made as far as, hey, what she said she had been
17 there?

18 A. I don't remember what specifically she was asked. I
19 remember she was told me she was there to see Mr. Shero. I
20 don't know if she told me that or I reached that conclusion.

21 Q. Did you ask her if she ever saw any other individuals in
22 that room as well?

23 A. Yes. We did ask her and she said there was a lot of
24 traffic. I don't think she specifically stated anybody by
25 name that she saw in that room specifically. Specifically.

1 Q. Okay.

2 MS. LEDERMAN: Thank you. Pass the witness.

3 THE COURT: Anything else?

4 MR. WOLFE: Just briefly, Your Honor.

5 REDIRECT EXAMINATION

6 BY MR. WOLFE:

7 Q. You met with Ms. Meador after for a proffer interview
8 sometime after she was arrested; correct?

9 A. Yes, sir.

10 Q. Did she essentially repeat information that she told you
11 on the day she was arrested?

12 A. Yes, sir, she did.

13 MR. WOLFE: That's all I have, Your Honor.

14 THE COURT: Anything else?

15 MS. LEDERMAN: No, Your Honor.

16 THE COURT: Okay. Any other evidence?

17 MS. LEDERMAN: Not with regard to this.

18 THE COURT: Very good. I will overrule the drug
19 quantity objection. It appears to me that the officer has
20 done a thorough job in questioning Ms. Meador and has found
21 information to corroborate statements that she has made and I
22 believe this is a reasonable estimate of the drug quantity
23 that would be appropriate in this case. That being -- and
24 that the letters, while serious, and I wish I'd have known of
25 these letters when considering her sentence, that -- but --

1 but as the officer testified, based on his long history, that
2 that is not uncommon that they develop some remorse or develop
3 defense mechanisms and want to try to address those issues.

4 So that being the case then, subject to my ruling on
5 the firearms objections, I accept those objections accepted by
6 the Addendum and overrule those objections not accepted by the
7 Addendum, subject to my ruling on the firearms objections.

8 That being the case, then I adopt the fact -- Subject
9 to those rulings, I adopt the fact findings in those documents
10 and I adopt the Guideline calculations and determine that the
11 total offense level should be 31.

12 The Criminal History Category VI.

13 The imprisonment range 188 to 235 months.

14 Supervised release range of 3 years.

15 And a fine range of \$30,000 to \$1 million dollars.

16 Does the Government wish to be heard on sentencing?

17 **MR. WOLFE:** No, Your Honor. Thank you.

18 **THE COURT:** I will turn the floor over to you for
19 your sentencing presentation.

20 **MS. LEDERMAN:** You that, Judge. And I would just
21 refer you back to our memorandum and I know you've had a very
22 busy morning, so just to briefly refresh your memory with
23 regard to the Sentencing Memorandum, I don't know what --

24 **THE COURT:** He has had a horrible upbringing, as you
25 have outlined in the motion for variance and so thank you for

1 providing that to me in advance.

2 MS. LEDERMAN: And, Judge, I don't even think I could
3 express to you after speaking to his mother for several hours
4 on the phone and as you can tell she wouldn't even be here
5 today. I spoke to her. I've never -- Given her mental health
6 illness, I don't think I could even express to you in this
7 letter or even today how little empathy I have for her and
8 little respect as far as how she has raised Mr. Shero on her
9 own one hand admission I guess due to circumstances of his
10 creation that she did not provide him any sort of motherly
11 support or empathy throughout his life. She continued even
12 when I was speaking to her and blaming him for the ADD not
13 being a responsive child and not being a model child, when I
14 asked her about all the things that we listed that my client,
15 just a few things he was able to articulate witnessing, she
16 just kind of ignored those and said, Oh, well, you know,
17 that's just kind of -- I had no love and logic, I would have
18 made him responsible. It just was absolutely mind-boggling.
19 When I tried to go through his history with her, the CPS, she
20 again said, Well, had he gone to school, you know, completely
21 ignoring her drug abuse, promiscuity, basically leaving him
22 home alone and basically raising himself on the streets. When
23 I tried to address with her what happened when they moved to
24 Petaluma, California, basically was like, Well, you know, what
25 happens happens. When I tried to address with her what in her

1 own mind leaving a 16 year old alone in another state was
2 appropriate she said was -- well -- there was none. That
3 just -- she had a deal with herself and couldn't worry about
4 somebody else. When I asked her about him coming back and
5 helping her, again, her responses was more sort of those were
6 his problems; that's not my responsibility.

7 I did also try and address with her daughter Wendy
8 who is the younger daughter who was Mr. Brown's child. Again,
9 she did not provide any responses to that. When I spoke to
10 her about Wendy's mental health and Wendy being in and out of
11 Wichita Falls and Rusk State Hospital sort of on a rotating
12 basis she just said, Well that's kind of Wendy. And when I
13 asked her about Mr. Shero and Wendy's relationship, her
14 response was, Yes, Terry is the one who takes care of Wendy
15 and he can deal with Wendy and she kind of lives with Wendy
16 but that's sort of, you know, sort of their problem to deal
17 with.

18 We reached out on numerous occasions to his brother
19 Timber and I don't know if you were actually able to get on
20 YouTube and see Timber's interview discussing his upbringing
21 with his mother and father. He did return our phone call at
22 one point in time and then when I tried to make contact with
23 him again he sort of has not been responsive to any of our
24 e-mails or text messages or responding to him.

25 Similarly, I spoke to Mr. Shero's sister and mother.

1 Sister is semi, I wouldn't say non-verbal, but not able to
2 speak or really take care of herself.

3 I spoke to mom and while mom is now stable and would
4 call on a regular basis, the phone calls become incoherent.
5 We would ask her repeatedly to come to the office. We would
6 ask her if we could go get her and bring here to court today
7 and it was one of those, Sure, sure, sure, I'll call you back
8 and I will see what I can do, I'm kind of busy, and we could
9 just never even make contact with her.

10 I mean, I think as we have seen, Mr. Shero has just
11 never been afforded any sort of -- I don't want to say break.
12 I mean, you want to talk about you just can't catch a break in
13 life, and I think this is it. I mean, from day one he's never
14 had anybody to ever say you at some point in time, yes, you
15 have to take responsibility, this can't keep going on, but at
16 some point in time to be compassionate and be responsive to
17 this is what happens when the system repeatedly fails somebody
18 and I think we can see that from CPS, we can see that from his
19 family, whether it's in California, whether it was here,
20 whether it was in Iowa, has just been one system failure after
21 another. He's never been able to address what happened to
22 Mr. Shero literally from birth, not to mention again the
23 father -- I will loosely use the term father. The person who
24 created him and that whole incident with that person and
25 ultimately him -- yeah, dying while he was in custody in TDC,

1 having never had any contact with Mr. Shero, not that I think
2 the Court would have allowed it. I know I provided you some
3 letters from Mr. Brown who is the purported had father figure
4 on his own and if you just read those letters again you can
5 just image if this is on sober Mr. Brown trying to be
6 supportive you can only imagine what a twenty year old with a
7 two year old who admits to being a raging alcoholic, a pill
8 problem, and anger and violence issues. So on that note when
9 I was trying to speak to Ms. Shero about her time in
10 California with Mr. Brown and Mr. Shero as a young child, she
11 just became completely incoherent and it was like -- she
12 was -- I cannot even express the horror to you. Nothing I can
13 tell you would even be able to tell you what was happening in
14 that home. Yes. She ten seconds later she immediately says
15 I'm not the one that divorced him, he divorced me, I believe
16 in marriage.

17 When I asked Mr. Shero why he thinks Mr. Brown and
18 his mother divorced he again said even at that age, I think
19 his mother would have been twenty-one at the time, back to
20 promiscuity, drug use, and just not even at that time, even
21 for Mr. Brown, the raging alcoholic leaving them and going off
22 and becoming an alcoholic for better or worse that she did
23 finally tell Mr. Shero that Clinton Brown was not his father
24 and she pulled Mr. Brown away from Terry only for her to be
25 the primary caretaker. And we are just going from one bad

1 situation to a worse situation, if that's at all possible.

2 I think Mr. Shero finally understands he can't do
3 this and ever have a productive life. I mean, he's smart. He
4 can -- He just has never been given the opportunity and
5 certainly locking him up and throwing away the key is just
6 repeating the cycle and repeating what has happened to him
7 since he started his life.

8 . We understand that you've accepted Ms. Meador's
9 assertion for what was happening that day or -- the three week
10 relationship. And I would turn it -- with that caveat, turn
11 it over to Mr. Shero.

12 **THE COURT:** Very good. Mr. Shero, do you wish to
13 speak in your behalf or present information in mitigation of
14 you sentence?

15 **THE WITNESS:** Yes, sir.

16 **THE COURT:** I would be pleased to hear from you.

17 **THE DEFENDANT:** I've never in my life had a problem
18 accepting responsibility for any actions and that that's not
19 going to be any different today. My only issue in accepting
20 responsibility here for something I did not do, I admit -- I
21 understand more than anybody the position Robin was in, in
22 fear for her life and wanting to save it. I don't take
23 nothing from her, having gotten to know her and written her
24 these past few months. I don't think she's a bad person. I
25 just think she was trying to save her life. Do I deny having

1 provided her with drugs? No, sir, I do not. Do I deny the
2 enhancement that's on there? Absolutely. If your were to
3 sequester all the letters between her and I, never in there
4 will you find once where I at any time tried to coerce her
5 into saying or doing anything.

6 And with that having been said, not once, I haven't
7 even told the girl I loved her in a letter and she would love
8 nothing more than to hear that. I do think she is a good
9 woman. I think she is just scared she made a mistake. And
10 did I give her 29 ounces? No. Over that period, I wanted to
11 see her. I wanted to get to know her. In wanting to get to
12 know her I did what she wanted. For three weeks about, four
13 weeks, we knew other we didn't talk. We had an argument on
14 the phone. I talked to her two days prior to having seen her
15 the night before the time in question. That was the first
16 time I'd actually seen her after having talked to her two days
17 before and even weeks because of that argument. I wish they
18 would have called her up here because I think her attorney
19 talked her into not getting up there. I wasn't asking her or
20 whether I wanted her to get up there or not. I don't think
21 she could have got up there and lied. I think she would have
22 told the truth.

23 I do accept responsibility for any actions. I am
24 sorry for what I did. I go apologize to society as a whole
25 for anything that I have done.

1 That's all I have to say, Your Honor.

2 **THE COURT:** Thank you. I will now state the
3 determined pursuant to Title 18 U.S.C. Section 3553.

4 It is the judgment of the Court that the defendant is
5 committed to the Bureau of Prisons for a period of 144 months.
6 This is a downward variance based upon the Defense counsel's
7 motion.

8 This sentence shall run concurrent to any sentence
9 imposed out of Parker County and -- the 43rd District Court of
10 Parker County, the 43rd District Court in Parker County.

11 I do not order a fine.

12 I do order a mandatory special assessment of \$100.

13 I also order a term of supervised release. While on
14 release he shall comply with the standard conditions contained
15 in this judgment as well as the mandatory and special
16 conditions stated herein.

17 Have you gone over those conditions with your client?

18 **THE INTERPRETER:** We have, Your Honor.

19 **THE COURT:** I will order those conditions imposed in
20 this case.

21 Any objection from the Government?

22 **MR. WOLFE:** No, Your Honor.

23 **THE COURT:** Any objection from the Defense?

24 **MR. WOLFE:** No, Your Honor.

25 **THE COURT:** I will order this sentence imposed as

1 stated.

2 You have the right to appeal this sentence. You also
3 have the right to apply for leave to appeal in forma pauperis
4 if you are unable to pay the cost of an appeal if you decide
5 to appeal your notice must be filed within 14 days. Talk to
6 your counsel about your appellate rights. Anything else?

7 **MR. WOLFE:** No, Your Honor.

8 **THE COURT:** Anything else?

9 **MS. LEDERMAN:** No. And just on behalf of Mr. Shero
10 and Goutreaux I think they all forget to ask you are they
11 getting their back time from when they were arrested.

12 **THE COURT:** The Bureau of Prisons has to calculate
13 that. I don't calculate it.

14 **MS. LEDERMAN:** Not all the time but that they would
15 be given their credit.

16 **THE COURT:** Yes. I don't weigh in on that.

17 **MS. LEDERMAN:** Okay. Thank you, Judge.

18 **THE COURT:** Very good. We are in recess.

19 (Short recess.)

20 **THE COURT:** I order a 3 year term of supervised
21 release and recommendation placement at Forrest City,
22 Arkansas.

23

24

25

1 I, **DENVER B. RODEN**, United States Court Reporter for the
2 United States District Court in and for the Northern District
3 of Texas, Fort Worth Division, hereby certify that the above
4 and foregoing contains a true and correct transcription of the
5 proceedings in the above entitled and numbered cause.

6 **WITNESS MY HAND** on this 7th day of December, 2016.

7

8

9

/s/ Denver B. Roden

10

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